

Appl. No. 10/643,800
Amendment of August 16, 2006
Reply to Office Action of May 18, 2006

REMARKS/ARGUMENTS

Reconsideration of this application under 37 C.F.R. § 1.111 is respectfully requested.

Claims 1-6 and 8-15 are pending in the application with claim 7 having been canceled, claims 1, 5, and 8-15 having been amended, and new claim 15 added. Support for the amendments to claims 1 and 14 can be found in the specification on page 9, lines 7-10, page 10, lines 3-5; page 14, lines 8-10; and Examples 1-5 and 7-10. New claim 15 is supported in the specification from page 5, line 3, to page 6, line 17; page 9, lines 7-10, page 10, lines 3-5; page 14, lines 8-10; and Examples 1-5 and 7-10. Support for the amendments to the specification appears in the application as filed in claims 2 and 8.

1. Objection to Information Disclosure Statement

The Examiner deleted certain citations from the applicants' Form 1449s that were previously submitted with an Information Disclosure Statement. The Examiner requires the month and year to be entered for each of the deleted citations.

The applicants attach the corrected Form 1449s to this amendment. The month and year of the patent document citations has been inserted. The applicants, however, ask the Examiner to reconsider the objection to the citations of articles. Only the year of publication is available for most of the articles. Therefore, the Examiner is asked to assume that these articles were available on January 1st of their years of publication. The applicants submit that entering the citations of articles with only the year of publication is acceptable with Office practice.

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No new fee is due by this submission because no new information disclosure is being made. Additionally, copies of the citations were previously submitted to the Office. If this understanding is incorrect, the Office is authorized to charge any fee due to Deposit Account No. 23-2656.

2. Rejection of Claims

Claims 1-14 have been rejected under 35. U.S.C. 102(b) as being anticipated by Anderson (U.S. Patent No. 5,575,951).

Anderson discloses a homogeneous, clear liquid stabilizer said to be suitable for use in a vinyl chloride polymer comprising a liquid mixture of metal soap stabilizer, for example, a mixture of a mixed barium/zinc soap stabilizer and solubilized metal perchlorate, for example, a barium perchlorate. The liquid stabilizer is formed by combining a solubilized metal perchlorate and a liquid mixture of the metal soap stabilizer. The relative weight amounts of mixed metal soap component to solubilized metal perchlorate component (metal perchlorate and solvent for the metal perchlorate) in the stabilizer can range from about 400:1 to about 5:1, preferably from about 20:1 to about 5:1 on a weight basis, most preferably from about 10:1 to about 6:1. See column 3 of Anderson, lines 41-48. Representative solvents for the metal perchlorate are said to include tripropylene glycol, butyl carbitol, triethylene glycol, and butylene glycol.

The present invention is directed to the use of a combination of a polyalkylene glycol and a metal salt of a strong acid, which may be perchloric acid, to stabilize a halogen-containing polymer. Additional components may also be present, including at least one metal

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soap. However, where a metal soap is present, the weight ratio of the metal soap to the combined weights of the polyalkylene glycol to the metal salt of the strong acid is no greater than about 3. This is seen by dividing the weight of the metal soap (calcium stearate) by the combined weights of the polyalkylene glycols and the sodium perchlorate in Examples 1-5 and 7-10. For example, in Example 10, formulation 48, the weight of the calcium stearate is 0.5; the weight of the polyethylene glycol 200 is 0.12; and the weight of the sodium perchlorate is 60% of 0.08. Thus, $0.5/[0.12 + (.6 \times 0.08)] = 2.98$, or, rounding off to one significant figure, about 3:1. When calculated, other examples show ratios less than 3:1.

As noted above, Anderson teaches a ratio of no less than about 5:1, outside the scope of the current claims, and fails to provide any motivation for a person of ordinary skill in the art to use a lower ratio.

Accordingly, it is requested that the rejection of claims 1-14 under U.S.C.102(b) as being anticipated by Anderson be withdrawn.

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In view of the foregoing, it is submitted that this application is now in condition for allowance and an early Office Action to that end is earnestly solicited.

Respectfully submitted,

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